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Attorney for Defendant

MARCUS ANTHONY MILLNER

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS ANTHONY MILLNER,

Defendant.

Case No.: 2:20-CR-00313-APG-NJK

**Stipulation to Continue Sentencing
Hearing**

(9th Request)

IT IS HEREBY STIPULATED AND AGREED, by and between **JESSICA OLIVA, ESQ.**, Assistant United States Attorney, counsel for the United States of America, and **MICHAEL J. MICELI, ESQ.**, counsel for MARCUS ANTHONY MILLNER, that the Sentencing Hearing currently set for October 4, 2023, at 1:30 p.m., be vacated and continued to a date and time convenient to the Court, but no sooner than 120 days from the date of this filing. In support of this Stipulation, the parties state as follows:

2. Defendant is not in custody and does not object to this request for

3. Counsel has spoken to AUSA Jessica Oliva, who does not oppose a

7 4. Denial of this request for continuance could result in a miscarriage justice.

8 5. For all the above-stated reasons, the ends of justice would best be served by a

12 6. This is the 8th request to continue the Sentencing Hearing in this matter.

13 **WHEREFORE**, the parties respectfully request that the Court accept the stipulation

18 **DATED** this 12th day of September 2023.

19 || Respectfully submitted,

23 | /S/ Michael J. Miceli, Esq.

22 /S/ Michael J. Miceli, Esq. /S/ Jessica Oliva .

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

MARCUS ANTHONY MILLNER,

Defendant.

Case No.: 2:18-CR-00095-APG-NJK-2

Order

This matter coming on the parties' Stipulation to Continue Sentencing Hearing, the Court having considered the premises therein and good cause showing, the Court accepts the Stipulation of the parties and finds as follows:

1. Defendant still needs additional time to satisfy his outstanding warrants.
2. Defendant is not in custody and does not object to this request for continuance.
3. Counsel has spoken to AUSA Jessica Oliva, who does not oppose a continuance.
4. Denial of this request for continuance could result in a miscarriage justice.
5. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing until a date and time convenient to the Court but no sooner than 120 days from the filing of this Stipulation.
6. This is the 9th request to continue the Sentencing Hearing in this matter.

WHEREFORE, the parties respectfully request that the Court accept the stipulation of the parties and enter an Order continuing the Sentencing Hearing to a date and time


1 convenient to the Court but no sooner than 120 days from the date of the filing of this
2 pleading. A proposed Order is attached for the Court's consideration.

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5 **ORDER**

6 **WHEREFORE**, the Court accepts the Stipulation of the parties and **ORDERS** that
7 the Sentencing Hearing, currently set for **October 4, 2023, at 1:30 p.m.**, shall be, and is,
8 **VACATED** and **CONTINUED** to the 30th day of January, 2024 at 10:00 a.m. , in
9 Courtroom 6C.

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11 **IT IS SO ORDERED.**

12 DATED this 14th day of September, 2023.

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16 ANDREW P. GORDON
17 United States District Judge
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